

UNITED STATES PATENT AND TRADEMARK OFFICE

08-30-04

Page 1 of 2

JFW

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/796,546	03/09/2004	Thomas W. Neugebauer	716909.30

CONFIRMATION NO. 1993

FORMALITIES LETTER



\*OC000000012807124\*

27128  
BLACKWELL SANDERS PEPPER MARTIN LLP  
720 OLIVE STREET  
SUITE 2400  
ST. LOUIS, MO 63101

Date Mailed: 05/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/02/2004 EFLORES 00000001 110160 10796546 FILED UNDER 37 CFR 1.53(b)

01 FC:2051 65.00 DA

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450

Adjustment date: 09/02/2004 EFLORES  
08/31/2004 EFLORES-00000007-110160 10796546 Alexandria VA 22313-1450  
01 FC:2251 55.00 CR

*A copy of this notice MUST be returned with the reply.*

08/31/2004 EFLORES-00000007-110160-10796546

01 FC:2251 55.00 DA



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

AUG 27 2004

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (01/03)  
Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 120.0)**Complete if Known**

Application Number	10/796,546
Filing Date	March 9, 2004
First Named Inventor	Neugebauer, Thomas W.
Examiner Name	not yet known
Art Unit	3672
Attorney Docket No.	716909.30

**METHOD OF PAYMENT** (check one) Check  Credit card  Money  Other  None Deposit Account: Order

Deposit Account Number	11-0160
Deposit Account Name	BLACKWELL SANDERS PEPPER MARTIN LLP

The Commissioner is authorized to: (check all that apply)

 Charge fees indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION** (continued)**3. ADDITIONAL FEES****Large Entity** **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	65.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	55.00
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	1155	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					

\*\*or number previously paid, if greater; For Reissues, see above

\*Reduced by Basic Filing Fee Paid

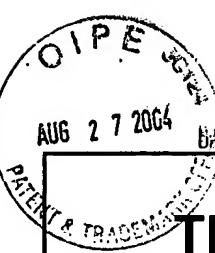
**SUBTOTAL (3)** (\$ 120.00)**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	Robert J. Lewis	Registration No. (Attorney/Agent)	27,210	Telephone	314-345-6000
Signature	Robert J. Lewis	Date	8/27/04		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/796,546
		Filing Date	March 9, 2004
		First Named Inventor	NEUGEBAUER, Thomas W.
		Group Art Unit	3672
		Examiner Name	Not yet known
Total Number of Pages in This Submission	14	Attorney Docket Number	716909.30

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below); Declaration; Statement Under 37 CFR 3.73b with copy of Assignment; Part 2 Copy of Notice to File Missing Parts; return postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks:	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name	Robert J. Lewis, Reg. No. 27,210 Blackwell Sanders Peper Martin LLP
Signature	
Date	8/27/04

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.  
Express Mail Label No.: EV390579805US

Typed or printed name	Beth Hookway		
Signature		Date	8-27-04

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PATENT  
716909.30

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Neugebauer, Thomas W. :  
: Examiner: Not yet known  
Serial No.: 10/796,546 : Group Art Unit: 3672  
Filed: March 9, 2004 : Attorney Docket No.: 716909.30  
For: DUAL ENERGIZED HYDROSEAL : Customer No.: 027128  
: Confirmation No.: 1993

RESPONSE

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application, dated May 28, 2004, Applicants enclose herewith:

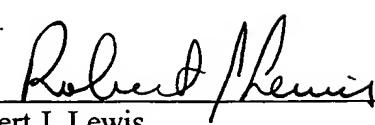
1. Transmittal;
2. Fee Transmittal;
3. Petition for Extension of Time
4. The original, signed Declaration signed by the inventors;
5. Power of Attorney;
6. Statement Under 37 CFR 3.73(b) with Copy of Assignment;
7. Copy of the Notice to File Missing Parts of Nonprovisional Application;

Application of: Neugebauer, Thomas W.  
Serial No.: 10/796,546  
Response to Missing Parts

8. Return Receipt Postcard.

Respectfully submitted,

Date: 8/27/04

  
\_\_\_\_\_  
Robert J. Lewis  
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St. Louis, Missouri 63101  
(314) 345-6000

ATTORNEYS FOR APPLICANT